

REMARKS

This Response is submitted in reply to the Office Action dated September 1, 2006. Claims 1, 16, 19, 21, 38 and 55 are amended herein. Claim 15 has been cancelled without prejudice or disclaimer. A Petition for a Two-Month Extension of Time is submitted herewith. The Commissioner is hereby authorized to charge deposit account 02-1818 for the Extension of Time fee and any other fees which are due in connection with this Response.

The Office Action rejected Claims 1-5, 11, 12, 21 to 25, 31, 32, 34, 38 to 42, 48, 49 and 51 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,398,220 to Inoue ("Inoue"). These rejections are improper or have been overcome for at least the reasons set forth below. Of the rejected claims, Claims 1, 21, 38 and 55 are the sole independent claims. Inoue fails to disclose several elements of the amended independent claims, as set forth in detail below.

Claim 1 has been amended for clarification purposes and to correct a clerical error. Amended independent Claim 1 is directed to a gaming device having, at least in part, a symbol display mechanism including a *plate rotatably attached* to the housing and a plurality of symbol display members *each independently rotatably attached to the plate*. The gaming device also includes a pivotable symbol indicator positioned adjacent to the symbol display mechanism and attached to the housing, wherein the symbol indicator is operable to pivot towards and away from the plate to indicate at least one of the symbols on the symbol display members.

Similarly, independent Claims 21 and 38 are directed to, at least in part, a gaming device having a symbol display mechanism including a *support rotatably attached* to the housing and a plurality of symbol display members *each independently rotatably attached to the support*, and a pivotable symbol indicator positioned adjacent to the symbol display mechanism. Upon the occurrence of a triggering event associated with the game, *the symbol display mechanism and each of the symbol display members independently move* and the symbol indicator pivots toward the support and adjacent to one of the symbol display members to indicate one of the symbols.

Also, independent Claim 55 is directed to, at least in part, a method of operating a mechanical display device having a *rotatable symbol display mechanism* connected to the housing, and a plurality of symbol display members *independently rotatably connected to the symbol display mechanism*.

Inoue discloses a gaming device having a bonus game display. The display includes an outer rotational member that rotates in a clockwise direction and is rotated in a lateral direction of the game machine. (See, Inoue, Abstract). The display also includes an inner rotational member that is rotated in a perpendicular direction of the game machine. (Id.). Thus, the rotational members are rotated in different directions with respect to one another. (Id.). In this regard, Inoue provides a symbol display mechanism including a plate or outer rotational member 6 rotatably attached to the housing. (See, Inoue, Fig. 2). However, Inoue *does not* teach or suggest a plurality of symbol display members *each independently rotatably attached to the rotatable plate, support, or display mechanism*, as recited in amended independent Claims 1, 21, 38 and 55.

The Inoue outer rotational member 6 includes a plurality of sections 7. However, the rotation member 6 only includes static nonmoving sections 7 relative to the rotation member 6. Each of these sections are labeled with a dividend or award amount 8. (See, Inoue, col. 3, lines 8 to 31). The inner rotational member 9 rotates, but it is not a part of the outer rotational member 6 or plate. This is in contrast to the presently claimed invention, as illustrated for example in Fig. 3F. In this example, the movable display plate 112 includes a plurality of rotatable symbol display members 104. Therefore, Inoue does not disclose a symbol display mechanism including a plate rotatably attached to the housing and a *plurality of symbol display members each independently rotatably attached to the plate*, as recited in amended independent Claim 1. Similarly, Inoue does not disclose a support *rotatably* attached to the housing and a plurality of symbol display members *each independently rotatably* attached to the support, as recited in independent Claims 21 and 38. Also, Inoue does not disclose a rotatable symbol display mechanism connected to the housing, a plurality of symbol

display members independently rotatably connected to the symbol display mechanism, as recited in Claim 55.

Moreover, Inoue does not disclose a movable symbol indicator or a symbol indicator that is pivotable toward and away from the plate or support and toward an independently rotatable symbol display member, as recited in Claims 1, 21, 38 and 55, and as further referenced on page six of the Office Action.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. §102(b) rejection of 1 to 5, 11, 12, 21 to 25, 31, 32, 34, 38 to 42, 48, 49 and 51, for at least the reasons above.

The Office Action rejected Claims 6, 7, 13, 26, 27, 33, 43, 44 and 50 under 35 U.S.C. §103(a) as being unpatentable in view of Inoue. As explained above, Inoue fails to teach or suggest elements of amended independent Claims 1, 21, 38. Accordingly, Inoue fails to render obvious Claims 6, 7, 13, 26, 27, 33, 43, 44 and 50, which depend from amended independent Claim 1, and independent Claims 21 and 38.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. §103(a) rejection of Claims 6, 7, 13, 26, 27, 33, 43, 44 and 50 in view of Inoue, for at least the reasons above.

The Office Action rejected Claims 8 to 10, 15 to 20, 28 to 30, 35 to 37, 45 to 47 and 52 to 54 under 35 U.S.C. §103(a) as being obvious over Inoue and further in view of U.S. Patent No. 6,793, 577 to Wilkins et al. ("Wilkins"). Wilkins discloses a gaming device having a bonus display. The Office Action relies on Wilkins primarily for the teaching of a movable indicator 99 and a symbol display having an illumination, as shown in Fig. 3 of Wilkins. (See, Office Action, pgs. 5 to 6). However, Wilkins does not teach or suggest a symbol display mechanism including *a plate rotatably attached to the housing and a plurality of symbol display members each independently rotatably attached to the plate*, as recited in amended independent Claims 1, or *a support rotatably attached to the housing and a plurality of symbol display members each independently rotatably attached to the support*, as recited in Claims 21, 38 and 55. Thus, Wilkins fails to remedy the deficiencies of Inoue, as discussed above.

Accordingly, Inoue and Wilkins do not render obvious Claims 8 to 10, 15 to 20, 28 to 30, 35 to 37, 45 to 47 and 52 to 54, even assuming that they are properly combinable.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. §103(a) rejection of Claims 8-10, 16 to 20, 28 to 30, 35 to 37, 45 to 47 and 52 to 54 in view of Inoue and Wilkins, for at least the reasons above.

The Office Action rejected Claims 55 and 56 under 35 U.S.C. §103(a) as being obvious over Inoue and further in view of U.S. Patent No. 6,173,955 to Perrie et al. ("Perrie"). Applicants respectfully disagree with and traverse such rejections. Perrie is relied on primarily for the purported teaching of using multipliers as symbols and for repeating the steps of a game until a player achieves a non-multiplier value associated with the symbol. Accordingly, Perrie fails to cure the deficiencies of Inoue, as discussed above, even if Perrie is properly combinable with Inoue.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. §103(a) rejection of Claims 55 and 56 in view of Inoue and Perrie, for at least the reasons above.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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